



002.839841.1

Atty. Dkt. No. 018792-0199

MPL#
Box 500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul Averbach
Title: METHODS OF USING NEURAL THREAD PROTEINS TO TREAT
TUMORS AND OTHER CONDITIONS REQUIRING THE REMOVAL OR
DESTRUCTION OF CELLS
Appl. No.: 10/092,934
Filing Date: 03/08/2002
Examiner: unassigned
Art Unit: 1646

**TRANSMITTAL OF MISSING PARTS
OF PATENT APPLICATION**

Commissioner for Patents
Washington, D.C. 20231

Attn: BOX MISSING PARTS

Sir:

In response to the Notice to File Missing Parts of Application mailed on April 5, 2002, in the above-identified application, transmitted herewith are the missing parts needed to complete the filing of the subject patent application.

Enclosed are:

- [X] Declaration and Power of Attorney (3 pages)
- [X] Return Copy of Notice to File Missing Parts
- [X] Transmittal Letter for Substitute Specification
- [X] Substitute Specification (57 pages)
- [X] Transmittal Letter for Formal Drawings
- [X] Formal Drawings (16 sheets, Figures 1-19)
- [X] Statement to Support Filing and Submission in
Accordance with 37 C.F.R. §§ 1.821-1.825 (2 pages)
- [X] Paper copy of Sequence Listing (8 pages)
- [X] Computer Readable Copy of the Sequence Listing

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$740.00	\$740.00
Total Claims:	46	- 20	= 26	x \$18.00	= \$468.00
Independents:	2	- 3	= 0	x \$84.00	= \$0.00
If any Multiple Dependent Claim(s) present:				+ \$280.00	= \$0.00
Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration and late payment of filing fee				+ \$130.00	= \$130.00
				SUBTOTAL:	= \$1338.00
[] Small Entity Fees Apply (subtract ½ of above):					= \$0.00
				TOTAL FILING FEE:	= \$1,338.00
				TOTAL FEE	= \$1,338.00
Difference to pay:				- \$0.00	- \$1,338.00

[X] Check in the amount of \$1,338.00 in payment of Basic Fee \$740, Extra Claims in excess of 20 \$468, and surcharge fee (37 C.F.R. § 1.16(e)) \$130.

[] Please charge Deposit Account No. 19-0741 in the amount of \$1,338.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date June 5, 2002

By Michele M. Simkin

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5538
Facsimile: (202) 672-5399

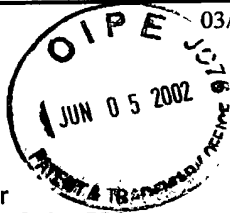
Michele M. Simkin
Attorney for Applicant
Registration No. 34,717



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/092,934	03/08/2002	Paul Averbach	018792-0199

Stephen A. Bent
Foley & Lardner
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, DC 20007-5143

CONFIRMATION NO. 7362

FORMALITIES LETTER



OC000000007807160

Date Mailed: 04/05/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$468.
 - \$468 for 26 total claims over 20.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1338.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
 - Papers contain improper margins. *Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*
- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each

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01 FC:101
02 FC:103-740.00 0P
-468.00 0P
-130.00 0P06/07/2002 HBIZUNES 00000025 10092934
740.00 0P
468.00 0P
130.00 0P
01 FC:101
02 FC:103
03 FC:105

sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

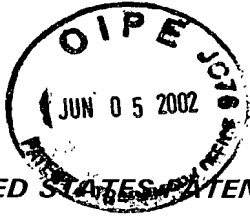
A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Atty. Dkt. No. 018792/0199

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul Averback
Title: METHODS OF USING NEURAL THREAD PROTEINS TO TREAT
TUMORS AND OTHER CONDITIONS REQUIRING THE REMOVAL OR
DESTRUCTION OF CELLS
Appl. No.: 10/092,934
Filing Date: 03/08/2002
Examiner: unassigned
Art Unit: 1646

TRANSMITTAL OF SUBSTITUTE SPECIFICATION

Commissioner for Patents
Washington, D.C. 20231

Sir:

This Paper is filed in response to the Notice to File Missing Parts of Nonprovisional Application, which requested a substitute specification in compliance with 37 CFR 1.52. Transmitted herewith is a substitute specification, correcting the marginss per the Notice of Missing Parts of Nonprovisional and adding paragraph numbers. In addition, to comply with 37 CFR 1.821-1.825, pages 7, 22, and 28 have been amended to insert SEQ ID NOS. A marked up copy of the specification is provided showing the changes made.

Respectfully submitted,

Date

June 5, 2002

By

Michele M. Simkin

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Michele M. Simkin
Attorney for Applicant
Registration No. 34,717



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Atty. Dkt. No. 018792-0199

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul Averback
Title: METHODS OF USING NEURAL THREAD PROTEINS TO TREAT
TUMORS AND OTHER CONDITIONS REQUIRING THE REMOVAL OR
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Appl. No.: 10/092,934
Filing Date: 03/08/2002
Examiner: unassigned
Art Unit: 1646

TRANSMITTAL OF FORMAL DRAWINGS

Commissioner for Patents
Washington, D.C. 20231

ATTENTION: DRAWING REVIEW BRANCH

Sir:

Transmitted herewith are the formal drawings (16 sheets, Figures 1-19) for the
above-identified application. The Official Draftsperson is respectfully requested to
approve these drawings for entry into the application.

Respectfully submitted,

Date

June 5, 2002

By

Michele M. Simkin

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

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